

## **DISTRICT ADVISORY BOARD (DAB) I**

### **MEETING MINUTES**

**Monday, August 3, 2009**

**6:30 p.m.**

**Atwater Community Center, 2755 E. 19<sup>th</sup>, Wichita, Kansas 67214**

#### **Members Present**

Twila Chaloupek  
Vicki Churchman  
Gerald Domotrovic  
Tythan Miles  
KC Ohaebosim  
Janice Rich  
Lisa Riley  
Steve Roberts  
James Roseboro  
Janet Wilson  
Bill Wynne

#### **Guests**

Listed on the last page

#### **City of Wichita Staff Present**

Chief Williams, Wichita Police Chief  
Officer Wylie, Beat 25, Wichita Police Department  
KP Rogers, Fire Department  
Captain Jones, Fire Department  
Bill Longnecker, Planning Department  
Mark Stanberry, Housing and Community Services  
Kelli Glassman, Neighborhood Assistant

### **Order of Business**

#### **Call to Order**

**Steve Roberts** called the meeting to order at 6:30 p.m. and welcomed the guests. He asked that anyone addressing the Board to provide their name and address for the record.

#### **Approval of Minutes**

**Churchman** corrected the spelling of a guest's name in the last minutes to Witherson instead of Witherspoon. **Roseboro (Chruchman)** made a motion to approve the minutes as corrected. Motion carried **10:0**

#### **Approval of Agenda**

**Chaloupek (Roseboro)** made a motion to approve the agenda as submitted. Motion carried **10:0**

#### **Public Agenda**

1. **Agenda Items**  
No items submitted.
2. **Off Agenda Items**  
No items submitted.

#### **Staff Report**

3. **Police Report**  
**Officer Wylie, Beat 25** advised that there has been an increase in residential burglaries. There were 5 in May, 11 in June and 15 in July. They have started bike patrol assignments to catch the suspect and also warning citizens to be aware of strangers in the area and to lock their garage doors.

**Rich** asked if these burglaries are occurring in the day or night time. **Wylie** responded that they are occurring in the daytime, so if you are home during the day please watch for any unusual activity. **Riley** asked if the burglary should be reported even after the fact. **Wylie** stated that it should be reported at any time, especially if you have serial numbers for the stolen items and/or they are engraved with initials or any identifying mark.

**Roberts** thanked the Officer **Wylie** for her time and presentation.

**Action Taken: Receive and file.**

**4. Fire Report**

**KP Rogers** and **Captain Jones** presented to the Board.

The new fire recruits graduate and will be recognized at the City Council Meeting on August 11.

There have been a brush of arson car fires lately which happens at certain times of the year.

The **Board** thanked the fire staff for their time and presentation.

**Action Taken: Receive and file.**

**New Business**

**5. MAPC Motor Vehicle Impound Lot**

**Bill Longnecker, Planning Department** presented information on the proposed amendment to the Wichita-Sedgwick County Unified Zoning Code to establish new guidelines to our current regulations regarding the storage of motor vehicles. The Wichita-Sedgwick County Unified Zoning Code ("UZC") defines the following terms:

Vehicle Storage Yard: the keeping outside of an enclosed building for more than 72 consecutive hours of one or more vehicles (except inoperable vehicles), boats, trailers, or unoccupied recreational vehicles. The term vehicle storage yard does not include "wrecking/salvage yard."

Vehicle, Inoperable: any vehicle that is unable to operate or move under its own power. It shall also mean any vehicle that is in an abandoned, wrecked, dismantled, scrapped, junked or partially dismantled condition which includes having uninflated tires, no wheels, or lacking other parts necessary for the normal operation of the vehicle. It shall also mean any vehicle that because of mechanical defects, a wrecked or partially wrecked frame or body or dismantled parts, cannot be operated in a normal and safe manner. An inoperable vehicle shall not include vehicles needing only the installation of a battery or the addition of fuel to operate.

Wrecking/Salvage Yard: a lot, land or structure, or any part thereof, used for the collecting, dismantling, storing and / or salvaging of machinery, equipment, appliances, inoperable vehicles, vehicle parts, bulky waste, salvage material, junk, or discarded materials; and / or for the sale of parts thereof. Typical uses include motor vehicle salvage yards and junkyards. In the unincorporated area of the county only, the term

“wrecking / salvage yard” shall not include the storage of salvage materials as permitted in Section 19-22(c) of the Sedgwick County Code.

The circumstance that triggered the Planning Commission’s request to review this issue was the recent filing of three applications for “wrecking and salvage” by individuals who provide vehicle towing and impound services and/or conduct auto insurance pool auctions. Some vehicles taken to these businesses are inoperable, and may be stored up to three or four months, without any intention of repairing the vehicle, before they are removed from the site. The vehicles are not dismantled or parted out, only stored, but because the business stores inoperable vehicles for longer than 72 hours, by UZC definition, the activity is categorized as “wrecking and salvage.” Wrecking and salvage uses are only permitted with “conditional use” approval in the LI Limited Industrial (“LI”) and GI General Industrial (“GI”) districts, and is permitted “by right” in the AFB district.

Staff recommends approval of the proposed amendment. Adoption of the proposed amendment would provide an additional auto-related use type. From a zoning administration standpoint, the proposed amendment distinctly separates the storage of inoperable vehicles from wrecking and salvage operations. The storage of inoperable vehicles by towing services and insurance auto pools and similar users would become a use permitted by right in the LI and GI districts; eliminating the public hearing requirement for property already zoned LI and GI the community has required since at least 1954. These types of uses have generated neighborhood opposition, not just from residential users but business owners as well. However, the proposed amendment includes development standards designed to mitigate foreseeable impacts by requiring screening from ground view and the use of all-weather surfaces where vehicles are stored.

The Board and citizens present expressed concern about what were the exact changes from the proposed amendments brought before them a month ago and wished to make sure that applications for these facilities would still have to be reviewed and require public input. **Mr. Longnecker** indicated that this would be the case. The Board and citizens also recommended reviewing the amendment to possibly create an independent zoning area for this use.

**Action Taken: Domitrovic motioned to recommend approval of the amendment presented. Roberts 2<sup>nd</sup> the motion. Motion failed (7:3). Roseboro then motioned to deny the proposal and correct the document as intended to read per staff recommendation and presentation and also examine the idea of an independent zoning area for this use.**

**6. ZON2009-00023CON2009-00018**

**Bill Longnecker, Planning Department**, presented information on a conditional use request for a zone change from two-family residential to general office at the location east of George Washington Boulevard between Grail Street and Wilma Street.

The Board expressed concern over what would be allowed under the new zoning if the property were to change hands and if the public would be involved in the process of determining that use. Mr. Longnecker stated that if the zone change occurred, a drug facility treatment, cell tower or major utility would be permitted and that many approved uses would require a conditional use permit which would require public comment. Mr. Longnecker further stated that the MAPC has recommended that no office or medical business be allowed at this site if it changes hands. Mr. Longnecker also clarified that the applicant would still be able to operate as they do currently as long as they do not expand.

**Russ Ewy, Baughman Company, applicant for the agent**, stated that the applicant does not intend to sell the property at this point and that the zone change is being requested to bring the

land in accordance with its current use and to make it more marketable. He stated that the applicant is ok with not allowing medical office, but would like to allow general office use.

**Dave Crockett, 1005 N Market, who is representing his client on Grail, and John Stevens, 3125 E Boston (representing Schweiter NA)** urged the Board to accept the MAPC recommendation and allow a proposal review if the land changes ownership.

**Kenneth Hipp, 3120 Wilma and Lauren Perry, 3102 Grail,** stated that the property should be left zoned as is because new commercial development is not wanted or needed

**Dave Gutteman, 3103 Grail,** stated that he believes if and when WATC sells this property, they should sell off the property as single housing.

**Action Taken:** Wynne recommended that request be denied. Roseboro 2<sup>nd</sup> the motion. Motion passed (9:0:1).

**7. Resolution of Support for Application for Housing Tax Credits (Village Square Apartments)**

**Mark Stanberry, Community Housing and Development,** presented information on the request from Mennonite Housing Rehabilitation Services, Inc., for a City council resolution of support for an application for housing tax credits in connection with the proposed Village Square Apartment complex.

**Andy Bias Director of of Mennonite Housing,** explained that in order to get investors and funding for this project, it needs to exceed \$6 million. He stated that the level of need is there and people want 2 bedroom housing, there will be no zoning changes required and the project will be 75 units/acre which is below the maximum density required. He further said that Mennonite Housing will buy the property outright after the 15 year loan is paid, not sell it. He also clarified that they will have a zero tolerance policy with problematic tenants and will work with the neighborhood to make sure that safety needs are met and increased. He continued to say that Mennonite Housing is still building single family housing as well, but that an apartment complex in this area is still needed also.

**Wilson** asked what type of fencing and landscaping would be put on the property. **Mr. Bias** stated that they would do what is necessary to comply with code requirements for fencing and landscaping.

**Ohaebosim and Wilson** asked who would road improvements and maintenance. **Mr. Bias** responded that and that there will be paving and the City will maintain the roads.

**Wynne** inquired about the current financial condition of Mennonite Housing. **Mr. Bias** said that currently Mennonite Housing has good cash flow, diversified assets and that they are maintaining the required cash reserve and have other projects pending.

**Wilson** asked if there will be minority contractors and subcontractors hired for this project. **Mr. Bias** stated that there would.

**Miles and Ohaebosim** asked what would this do to the housing market and surrounding property values. **Mr. Bias** answered that Mennonite Housing produces quality housing, so it will add to the value of the neighborhood.

**Bobby Thomas, 1643 N Minnesota**, stated that the area only has 46% homeowners, so low income senior citizen housing should be built instead of an apartment complex.

**Lorraine Guilleroy, 1713 Piatt**, stated that an apartment complex will create more noise issues.

**Eugene Anderson, 1832 N Poplar**, stated that the neighborhood needs affordable, sanitary housing, as the current building at the proposed site has had issues in the past.

**Treatha Brown Foster, 2211 N Kansas**, stated that there have criminal issues around 16<sup>th</sup> and Piatt and that the neighborhood does not safe and is concerned that there are no set security and landscape plans for this project which may attract more public safety issues.

**Joe Kirkendoll, 1550 N Minnesota**, stated that he does not believe that safe and secure housing will be provided with this proposed housing structure.

**Janet Green, 1821 N Piatt**, stated that the citizens must clean-up and police their own neighborhood and take charge to decrease violence and that any new structures in the neighborhood are good. It was also stated that the structure should be 1 level instead of 3 so that the perception of the structure is different and that the property should be gated and the tenants should be screened.

**Delores Cox, 1560 N Minnesota**, said that the area needs more housing and jobs. She stated that these apartments will require more services to be provided to the community and suggested building either 4-6 3 bedroom houses or 18 one level apartments.

**Action Taken: Roseboro made a motion to decline the request for resolution of support for this project. Domitrovic 2<sup>nd</sup> the motion. Motion passed (6:4)**

### **Update**

#### **8. Updates, Issues and Reports**

**Roseboro** advised that WIN will meet at Bostick school and have a clean-up from 7:30 to noon this coming Saturday, August 22.

The Board also mentioned there National Night Out events August 4 and stated that they were all a success.

With no further business, a motion to adjourn was made. Motion carried 10-0. The meeting adjourned at 9:30 p.m.

Respectfully Submitted,  
Kelli Glassman  
Neighborhood Assistant

**Guests**

Loren & Debbi Perry, 3102 E Grail St  
Don Grommesh, 3101 Wilma  
Kenneth Hipp, 3120 Wilma  
Greg Draper, 1950 N Madison  
Dave Crockett, 1005 N Market  
John Todd, 1559 Parme  
Treatha Brown-Foster  
Russ Ewy, 315 Ellis  
Janet Green, 1821 N Piatt #6  
Elaine Guillory, 1713 Piatt  
Maxine Bostic, 4601 Vesta  
Joe Kirkendoll, 1550 N Minnesota  
Debra Miller Stevens, 3125 E Boston  
John Stevens, 3125 E Boston  
Beverly Dometrovic, 1219 SW Drive  
Gayle Dometrovic, 1219 SW Drive  
Michael Barushok, 354 N Green  
Bobby Thomas, 1643 N Minnesota  
Stan & Joyce Chilton, 3010 Grail 67211  
Dave & Maria Gudeman, 3103 Grail 67211  
Eugene Anderson, 1832 N Poplar  
Maury Breidenthal, 7829 E Rockhill  
Deloris Cox, 1560 N Minnesota